

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROGER JUDGE,	)
	)
Plaintiff	)
	)
vs.	) Civil Action No. 05-1776
	) Judge Arthur J. Schwab/
MEDICAL DEPT AT S.C.I. GREENE;	) Magistrate Judge Amy Reynolds Hay
and organization which highers medical	)
staff; SUPERINTENDENT FOLINO,	)
S.C.I. GREENE,	)
Defendants	)

**ORDER**

AND NOW, this 31<sup>st</sup> day of May, 2007, after the Plaintiff, Roger Judge, filed an action in the above-captioned case, and after Defendant Folino filed a Motion for Summary Judgment, a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that Defendant Folino's Motion for Summary Judgment is granted;

IT IS FURTHER ORDERED that the Court sua sponte grants summary judgment in favor of the Medical Department at SCI-Greene and the organization that hires medical staff;

IT IS FURTHER ORDERED that Plaintiff's Motion to Amend Complaint is dismissed as moot;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

s/Arthur J. Schwab  
ARTHUR J. SCHWAB  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Roger Judge  
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